

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TIMOTHY CAREY, MARTHA CHAMBERS,
SCOTT LUBER, and MICHAEL REECE,

Plaintiffs,

v.

PERMANENT INJUNCTION
and DECLARATION

WISCONSIN ELECTIONS COMMISSION,
and MEAGAN WOLFE, in her official capacity as
Administrator of WEC,

22-cv-cv-402jdp

Defendants.

IT IS ORDERED that:

1. Plaintiffs Timothy Carey, Martha Chambers, Scott Luber, and Michael Reece are qualified Wisconsin voters with disabilities who require assistance from a third party with mailing or delivering their absentee ballots to the municipal clerk.
2. Under the Voting Rights Act, 52 U.S.C. § 10508, voters who require assistance with mailing or delivering their absentee ballot to the municipal clerk because of a disability are entitled to assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union. To the extent that Wis. Stat. § 6.87(4)(b)1 prohibits such assistance, it is preempted by § 10508.
3. Defendants Wisconsin Elections Commission and Meagan Wolfe are enjoined from enforcing Wis. Stat. § 6.87(4)(b)1 under Wis. Stat. § 5.05(2m) or § 5.06 against disabled voters for receiving assistance from a third party in mailing or delivering their absentee ballot to the municipal clerk because the voter requires such assistance.
4. Defendants may have until September 9, 2022, to provide written instructions to all Wisconsin municipal clerks that the Voting Rights Act requires that any Wisconsin voters who require assistance with mailing or delivering their absentee ballots to the municipal clerk because of a disability must be permitted to receive

such assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union.

Entered August 30, 2022.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge